

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2217

MARIA DA CONCEICAO SANTOS NETA,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals.

Submitted: February 7, 2014

Decided: February 28, 2014

Before NIEMEYER, KEENAN, and DIAZ, Circuit Judges.

Petition denied in part and dismissed in part by unpublished per curiam opinion.

Maria Da Conceicao Santos Neta, Petitioner Pro Se. Channah F. Norman, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Maria Da Conceicao Santos Neta, a native and citizen of Brazil, petitions for review of an order of the Board of Immigration Appeals ("Board") denying her second motion to reopen and reconsider. We have reviewed the administrative record and the Board's order and conclude that the Board did not abuse its discretion in denying the motion as untimely and barred because the petitioner was limited to filing one motion to reopen. See 8 C.F.R. § 1003.2(b)(2), (c)(2) (2013). We therefore deny the petition for review in part for the reasons stated by the Board. See In re: Santos Neta (B.I.A. Sept. 11, 2013). We lack jurisdiction to review the Board's refusal to exercise its sua sponte authority to reopen and therefore dismiss this portion of the petition for review. See Mosere v. Mukasey, 552 F.3d 397, 400-01 (4th Cir. 2009).

Accordingly, we deny in part and dismiss in part the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this Court and argument would not aid the decisional process.

PETITION DENIED IN PART
AND DISMISSED IN PART